

Honorable J. Kelley Arnold

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON, AT TACOMA

IBEW 76 HEALTH & WELFARE TRUST OF  
SOUTHWEST WASHINGTON, IBEW 76  
ANNUITY PLAN, JOINT APPRENTICESHIP  
TRAINING COMMITTEE, IBEW PACIFIC  
COAST PENSION FUND and NATIONAL  
ELECTRICAL BENEFIT FUND,

Plaintiffs,

vs.

EVERGREEN PACIFIC COMPANY, INC.,  
a Washington corporation

Defendant.

**CAUSE NO.: MS04-5030**

**NOTICE AND ORDER OF  
VOLUNTARY DISMISSAL OF  
SUPPLEMENTAL PROCEEDING  
WITHOUT PREJUDICE**

TO: CLERK OF THE COURT

**NOTICE IS HEREBY GIVEN** that Plaintiffs IBEW 76 Health & Welfare Trust of Southwest Washington, IBEW 76 Annuity Plan, Joint Apprenticeship Training Committee, IBEW Pacific Coast Pension Fund and National Electrical Benefit Fund voluntarily dismiss the above-entitled supplemental action against Defendant Evergreen Pacific Company, Inc., a Washington corporation.

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NOTICE & ORDER OF VOL DISMISSAL OF SUPPLEMENTAL  
PROCEEDINGS - CASE NO. MS04-5030  
PAGE 1 OF 2

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**ORDER**

**IT IS HEREBY ORDERED** that the above-entitled action against Defendants Evergreen Pacific Company, Inc., a Washington corporation, shall be and hereby is dismissed.

DATED this 6<sup>th</sup> day of October, 2005.

/s/ J. Kelley Arnold

U.S. District Court Magistrate Judge

Presented by:

s/Robert A. Bohrer

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